

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

MICHAEL S. CRAMER,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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No. 1:08-CV-176

Chief Judge Curtis L. Collier

**JUDGMENT ORDER**

On July 29, 2009, United States Magistrate Judge William B. Mitchell Carter filed a report and recommendation (“R&R”) in this case, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) (Court File No. 22). Neither party has objected to the R&R within the given ten days.

After reviewing the record, this Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge’s findings of fact, conclusions of law, and recommendations.

Accordingly, the Court **ORDERS**:

- (1) Plaintiff’s motion for judgment on the pleadings (Court File No. 12) seeking remand under Sentence Four of 42 U.S.C. § 405(g) is **GRANTED**;
- (2) Defendant’s motion for summary judgment (Court File No. 19) is **DENIED**; and
- (3) The Commissioner’s decision, denying benefits is **REVERSED** and **REMANDED** pursuant to Sentence Four of 42 U.S.C. § 405(g).

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**